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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,6-15,19,21-35,39-46,48-51,62-64 and 66-82* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-3,6-15,19,21-35,39-46,48-51,62-64 and 66-82* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

2.   A patent may not be obtained though the invention is not identically disclosed or described as set forth
in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
are such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

3.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

4.   Determining the scope and contents of the prior art.
5.   Ascertaining the differences between the prior art and the claims at issue.
6.   Resolving the level of ordinary skill in the pertinent art.
7.   Considering objective evidence present in the application indicating obviousness
or nonobviousness.

8.   Claims 1 to 3, 6 to 15, 19, 21 to 35, 39 to 46, 48 to 51, 62 to 64, and 66 to 82 are

rejected under 35 U.S.C. 103(a) as being obvious over Harkham (WIPO publication WO

01/91866 A1, PCT application PCT/US01/17285) in view of Cannon, et al. (U.S. patent

6,652,378 B2), Larose (U.S. pre-grant publication 2002/0087876 A1), and Paulsen

(U.S. pre-grant publication 2002/0142846 A1).

9.   As to Claims 1, 10, 31, and 66: '866 discloses all of the elements of Claim 1, but

lacks specificity as to downloading audiovisual content representing a randomly-

selected and dynamically-generated outcome of the wagering game, enhanced content,

or a remote financial server. Harkham in '866 teaches a method of using a casino-

based, player-operated comprising (Abst.): accessing a web-based central server

system (web site, Page 2, Lines 9 to 12; server, Page 2, Lines 26 to 33) from the

gaming machine in a land-based casino (casinos 110 and 112, Fig. 1), the gaming

machine being linked to the central server system by a reconfigurable, multi-site

computer network (Internet, Page 4, Line 20); and conducting, via the gaming machine,

a wagering game on the computer network by receiving a wager from the player (Page

3, Lines 27 to 28), generating a random event (cards dealt or wheel spun, Page 9, Line

18), and providing an award to the player for a winning outcome of the random event for

a first wagering game (Page 19, Lines 1 to 10); wherein the wagering game includes

audiovisual content (Page 10, Lines 11 to 12) and game software for generating the

random event (virtual slot machine, Page 15, Lines 20 to 22); and wherein the step of

conducting the wagering game includes displaying the audiovisual content at the

gaming machine (Page 10, Lines 11 to 12). Regarding the newly claimed limitations,

'866 displays randomly generated and dynamically generated audiovisual content

representing an outcome of the wagering game to the player. In one embodiment,

where some of the players are remote players, the remote players are represented by

avatars in a virtual game room (Page 10, Lines 1 to 9). Alternatively, '866 displays

camera images of the physical players at the gaming table and use a video phones to

display images and audio information of the remote players (Page 9, Lines 12 to 21).

'866 transmits dynamically generated audio content to the player (playing instructions

transmitted in non-audio format to save bandwidth, audio instruction dynamically played

as audio in response to these instructions; alternatively audio directly from remote

player played, Page 8, Line 30 to Page 9, Line 6). '866 transmits randomly selected

and dynamically generated visual content to the player (card game embodiment,

images of dealer and physical players along with cards being dealt, 9:12-21; images of

remote players, 8:24-29; three-dimensional chatroom of avatars of real and physical

players, 10:1-9). '866 teaches integrating casino gaming with non-casino interactive

gaming at a central server system (Abst.; players can play by proxy at actual game

tables 4:25-33, also first para. of Page 5; player can also play virtual slot machine at a

slot machine server, Fig. 2, 2:10-15, virtual slot machines disclosed Page 14 and 15 but

without audiovisual content). '866 establishes a communications link between the

central server system and a player-operated gaming machine in a land-based casino

(Figs. 1). '866 teaches offering a plurality of wagering games on the central server

system (plurality of slot machines offered on central server system, Pages 14 & 15).

'866 establishes via a reconfigurable computer network a communications link between

the central server system and a player-operated computing device remote from any

land-based casino (Internet connection, Fig. 2). '866 authorizes the computing device

to access a second of the wagering games offered on the central server system (plural

slot games of Pages 14 & 15, or alternately the live table game of Figs. 4, 7-9, Pages 8-

13; authorization, Fig. 3, Pages 5 to 8). '866 generates the random events as outlined

above. '378, however, teaches downloading audiovisual content representing a

randomly-selected and dynamically-generated outcome of the wagering game. Multiple

players can play simultaneous games displayed on each other's gaming device and can

communicate with each other visually and aurally (28:65 to 29:62 generally, 29:18-27

specifically). The outcome is randomly selected (games of chance, 8:61-9:20). The

audiovisual content is dynamically generated (multiple games played simultaneously,

8:33-45; stream of real-time information, 13:64-14:14; players communicating aurally

and visually while playing simultaneously, 17:42:56, 29:18-27). What '866 lacks

regarding the new amendments to the claim is the audiovisual content for the server-

based games, whereas the server-based slots of '866 were statistics based. This

audiovisual content, however, is disclosed in Cannon, et al. ('378). '378 teaches

players watching their friends play electronic wagering games on their respective

machines, which each player watching the other games on respective windows on their

own gaming machines (16:55-17:21). This is done by means of web servers which

stream the audiovisual content of the electronic wagering games to the watching friends'

respective gaming machines, acting as servers with server based wagering games

(10:5-13, 14:44-64, 19:6-19). Audio content is also streamed by the players' conversing

with one another (17:42-56). These server-based electronic wagering games with

streamed audiovisual content applied to the statistics-only slot servers of '866 result in

offering a plurality of wagering games on the central server system, the plurality of

wagering games including audiovisual content and game software for generating a

random event, the audiovisual content including computer-generated images and

animation representing the random event, and conducting the second of the wagering

games via the player-operated computing device by generating a random event for the

second of the wagering games at the central server system wherein the audiovisual

content for the second of the wagering games is presented at the computing device. It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to have applied the downloading audiovisual content representing a randomly-

selected and dynamically-generated outcome of the wagering game of '378 to the

gaming system of '866. '866 is analogous to '378 in that multiple players play

simultaneously, with each player being able to simultaneously see the results of his or

her game play along with that of the co-players (9:12-10:9). The players are also able

to communicate with each other by visual and aural means (9:12-21, 10:1-9). The

players of '866 and '378 are able to play many of the same games remotely ('866, 5:14-

16; '378, 9:1-5). The advantage of this combination is that '378 eliminates the live table

aspect of '866, reducing labor costs for the casino and eliminating the risks of player or

dealer cheating and human error. '876, however, teaches a basic and an advanced

version. '876 teaches at least one of the wagering games including a basic version and

an enhanced version having upgraded audiovisual content relative to the basic version,

and configuring the gaming machine, the computing device, or the central server

system to conduct the basic version or the enhanced version as a function of whether

the game software is executed locally at the gaming machine or at the computing

device, or executed remotely at the central server system, or executed locally and

remotely (110, Fig. 3; basic version being a game demo version, Para. 53; web-based

interfaces, Page 2, Lines 10 to 11; upgraded audiovisual content being versions two

and three graphics files, 305 and 306, Fig. 3; downloads the upgraded audiovisual

content from the central server system to the gaming machine and stores the

audiovisual content locally on the computing device or gaming machine, Fig. 2, Para.

84, the local gaming device is thus configured to execute the enhanced game locally).

'876 teaches downloading software from a central server to a computing device and

executing the software on the computing device (Abst., Figs. 2 and 3, Para. 33 and 34).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply the executable download of '876 to the system of '866 and '378.

The system of '876 can be used for distributing demo versions of game (Para. 53). In

'866, client gaming machine has software that controls a USB card reader at the client

gaming machine to verify the user's identity for security purposes (Page 2, Lines 1 to

15); this could be used in conjunction with the encryption of '876 (Para. 46 and 47). '866

also is also able to execute in memory software from the central server without installing

it into the hard drive (Page 13, Lines 27 to 34). This enhances security by preventing

copying, allows for easy software updates, and allows the client gaming device to

execute large programs (Page 13, Line 35). The executable file download could or '876

could be downloaded and executed in the memory of '866, reducing the likelihood of

copying or tampering, and eliminating the need for time-consuming hard-drive

installations. The combination of '866 and '876 would download and execute the

audiovisual content and game software at the client gaming device instead of at the

central server. The enhanced graphics for the enhanced game of '876 would ideally be

used in conjunction with the central slot statistics game of '866 described on Pages 14

and 15. Such enhanced graphics would be used to provide a slot machine-like user

interface to the player to make the game play more realistic instead of a mere display of

statistics and win/loss results. The advantage of this combination would be to reduce

computing load on the central server by executing the game software on the client

gaming device, while still maintaining the system's security. '846, however, teaches

storing financial account information in a player account database that is remote from

the gaming machine and from the computing device, wherein the player account

database is communicatively accessible by the gaming machine and by the computing

device ('846, 101 of Fig. 2, Paras. 33 & 39). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to have applied the remote

financial database of '846 to the combination of '866, '378, and '876. '866 from 7:22 to

8:15 has some suggestion of this by allowing the player to access a secure game over a

network using a smart card via a smart card reader at the local gaming device. A

financial database is also suggested in 7:1-9. The advantage of this modification would

be to have secure storage of the player's financial account information which would

prevent identity theft or impersonation of players via stolen accounts and to ensure that

winnings or losses owed to or by the player are securely credited.

10.   As to Claim 2: The wagering game of '866 can be slots (Page 15, Lines 7 to 23).

11.   As to Claim 3: Fig. 2 of '866 shows an in-hotel gaming network, which is an

intranet.

12.   As to Claim 6: '866 downloads the audiovisual content from the central server to

the gaming machine (Page 3, Lines 19 to 29; Page 8, Lines 32 to 34; Page 11, Lines 21

to 33). '866 conducts the wagering game by executing the game software at the central

server system (Page 15, Lines 7 to 23). '876 teaches a basic game (110, Fig. 3; basic

version being a game demo version, Para. 53). '378 teaches a primary game being the

player's own and a secondary game being a cooperative mode playing a game with a

friend on another gaming device (16:55-17:10, Fig. 4F).

13.   As to Claim 7: '866 teaches downloading the audiovisual content from the central

server system to the gaming machine (Page 3, Lines 19 to 29; Page 8, Lines 32 to 34;

Page 11, Lines 21 to 33) and executing the audiovisual content at the gaming machine

(Page 10, Lines 11 to 12). It would be obvious to one of ordinary skill in the art to

download and execute a significant portion of the game software at the wagering

machine. The client gaming machine has software that controls a USB card reader at

the client gaming machine to verify the user's identity for security purposes (Page 2,

Lines 1 to 15), a process controlled by software. The player can also interact with other

players by video, audio, and chat (Page 21, Lines 9 to 15), also controlled by software.

'866 also is also able to execute in memory software from the central server without

installing it into the hard drive (Page 13, Lines 27 to 34). This enhances security by

preventing copying, allows for easy software updates, and allows the client gaming

device to execute large programs (Page 13, Line 35). The advantage of this would be

to reduce computing load on the central server by doing "housekeeping" functions like

security verification at the client. '876 teaches an enhanced version being executed on

the local machine, the local game being the first game (upgraded audiovisual content

being versions two and three graphics files, 305 and 306, Fig. 3; downloads the

upgraded audiovisual content from the central server system to the gaming machine

and stores the audiovisual content locally on the computing device or gaming machine,

Fig. 2, Para. 84, the local gaming device is thus configured to execute the enhanced game locally).

14.   As to Claim 8: The step of accessing the central server system includes accessing a web site operated by the central server system (web site, Page 2, Lines 9 to 12; server, Page 2, Lines 26 to 33).

15.   As to Claim 9: The wagering game of '866 includes audiovisual content (Page 10, Lines 11 to 12) and game software for generating the random event (virtual slot machine, Page 15, Lines 20 to 22), with the gaming machine being free of a game engine for executing the game software. In one embodiment of '866, the games on a hotel gaming system are played on televisions in the users' hotel rooms (Page 5, Lines 23 to 25). Televisions would not have any gaming software, as they are non-programmable.

16.   As to Claim 11: '866 receives a wager from the player (Page 3, Lines 27 to 28), generates a random event (cards dealt or wheel spun, Page 9, Line 18), and provides an award to the player for a winning outcome of the random event (Page 30, Lines 30 to 31).

17.   As to Claim 12: The wagering game of '866 can be slots (Page 15, Lines 7 to 23).

18.   As to Claim 13: Fig. 2 of '866 shows an in-hotel gaming network, which is an intranet.

19.   As to Claim 14: The computing device of '866 is linked to the central server

system by the Internet (Internet, Page 4, Line 20; web site, Page 2, Lines 9 to 12;

server, Page 2, Lines 26 to 33).

20.   As to Claim 15: '866 uses a hardware security key to enable the computing

device to be linked to the central server system by the Internet (smart card, Page 2,

Lines 1 to 15).

21.   As to Claim 19: '866 teaches downloading the audiovisual content from the

central server system to the gaming machine (Page 3, Lines 19 to 29; Page 8, Lines 32

to 34; Page 11, Lines 21 to 33) and executing the audiovisual content at the gaming

machine (Page 10, Lines 11 to 12). Larose in '876 teaches downloading software from

a central server to a computing device and executing the software on the computing

device (Abst., Figs. 2 and 3, Para. 33 and 34).

22.   As to Claim 21: The gaming system of '866 can execute the audiovisual content

at the gaming device (Page 10, Lines 11 to 12) and the game software at the central

server system (Page 15, Lines 7 to 23).

23.   As to Claim 22: '866 offers a plurality of wagering games on a central server

system by posting the wagering games on a web site operated by the central server

system (Page 4, Lines 12 to 26; Page 7, Lines 23 to 34).

24.   As to Claim 23: The wagering game of '866 includes audiovisual content (Page

10, Lines 11 to 12) and game software for generating the random event (virtual slot

machine, Page 15, Lines 20 to 22), with the gaming machine being free of a game

engine for executing the game software. In one embodiment of '866, the games on a

hotel gaming system are played on televisions in the users' hotel rooms (Page 5, Lines 23 to 25). Televisions would not have any gaming software, as they are non-programmable.

25.   As to Claim 24: The software of '876 includes a basic version (110, Fig. 3; game demo version, Para. 53).

26.   As to Claims 25 and 26: The system of '866 uses web-based interfaces (Page 2, Lines 10 to 11). It would be an obvious design choice to use JavaScript or another web-based language to play the basic version over the network.

27.   As to Claim 27: The enhanced version of '876 has upgraded audiovisual content (versions two and three graphics files, 305 and 306, Fig. 3).

28.   As to Claims 28 and 29: The system of '876 downloads the upgraded audiovisual content from the central server system to the gaming machine and stores the audiovisual content locally on the computing device or gaming machine (Fig. 2, Para. 84).

29.   As to Claim 30: At least one of the games of '876 has a basic version and an enhanced version (Para. 53 to 55). The enhanced version of '876 has upgraded audiovisual content (versions two and three graphics files, 305 and 306, Fig. 3). The basic version is conducted on a computing device or a gaming machine (Para. 84). The system of '866 uses web-based interfaces (Page 2, Lines 10 to 11). It would be an obvious design choice to use JavaScript or another web-based language to play the basic version over the network. The enhanced version of '876 is conducted,

downloaded, and stored locally with the enhanced audiovisual content (Fig. 3) on a computing device or a gaming machine (Para. 84).

30.   As to Claim 32: The wagering game of '866 can be slots (Page 15, Lines 7 to 23).

31.   As to Claim 33: Fig. 2 of '866 shows an in-hotel gaming network, which is an intranet.

32.   As to Claim 34: The computing device of '866 is linked to the central server system by the Internet (Internet, Page 4, Line 20; web site, Page 2, Lines 9 to 12; server, Page 2, Lines 26 to 33).

33.   As to Claim 35: '866 uses a hardware security key to enable the computing device to be linked to the central server system by the Internet (smart card, Page 2, Lines 1 to 15).

34.   As to Claim 39: One of the gaming machines of '876 receives the audiovisual content and game software from the central server system, stores the audio visual content and game software locally, and executes the game software locally (Figs. 2 and 3, Para. 84).

35.   As to Claim 40: In '866, the central server system can execute audiovisual content (real-time video streaming without interpretation by client device, Page 13, Lines 7 to 10), and game software (Page 15, Lines 7 to 23). The computing device can be used to play the same or another of the wagering games (each player can pick his or her own game, Page 5, Lines 15 to 16).

36.   As to Claim 41: In '866 the central server system executes the game software

(Page 15, Lines 7 to 23). In '876, the computing device receives the audiovisual

content from the central server system and stores the audiovisual content locally (Figs.

2 and 3, Para. 84).

37.   As to Claim 42: The central server system of '866 operates a web site (web site,

Page 2, Lines 9 to 12; server, Page 2, Lines 26 to 33) posting a plurality of wagering

games (Page 5, Lines 14 to 16).

38.   As to Claim 43: The wagering game of '866 includes audiovisual content (Page

10, Lines 11 to 12) and game software for generating a random event (virtual slot

machine, Page 15, Lines 20 to 22). At least one of the gaming machines is free of a

game engine for executing the game software. In one embodiment of '866, the games

on a hotel gaming system are played on televisions in the users' hotel rooms (Page 5,

Lines 23 to 25). Televisions would not have any gaming software, as they are non-

programmable.

39.   As to Claim 44: The software of '876 includes a basic version (110, Fig. 3; game

demo version, Para. 53).

40.   As to Claims 45 and 46: The system of '866 uses web-based interfaces (Page 2,

Lines 10 to 11). It would be an obvious design choice to use JavaScript or another

web-based language to play the basic version over the network using a computing

device or a gaming machine.

41.   As to Claims 48 and 49: The computing device of '876 receives the upgraded

audiovisual content from the central server system and stores it locally (Fig. 3, Para. 53

to 55, Para. 84). '866 teaches a gaming machine, which is a computing device (Abst.).

42.   As to Claims 50 and 67 to 71: At least one of the games of '876 has a basic

version and an enhanced version (Para. 53 to 55). The enhanced version of '876 has

upgraded audiovisual content (versions two and three graphics files, 305 and 306, Fig.

3). The basic version is conducted on a computing device or a gaming machine (Para.

84). The system of '866 uses web-based interfaces (Page 2, Lines 10 to 11). It would

be an obvious design choice to use JavaScript or another web-based language to play

the basic version over the network. The enhanced version of '876 is conducted,

downloaded, and stored locally with the enhanced audiovisual content (Fig. 3) on a

computing device or a gaming machine (Para. 84).

43.   As to Claim 51: The plurality of games of '866 are associated with a common

entity, as they are all stored on a central server system operated by the same casino

(Page 5, Lines 14 to 16; Fig. 1).

44.   As to Claim 62: The system of '866 uses web-based interfaces (Page 2, Lines 10

to 11). It would thus be inherent that the machine of '866 to communicates over the

computer network using TCP/IP.

45.   As to Claim 63: The system of '866 uses web-based interfaces (Page 2, Lines 10

to 11). It would thus be inherent that the machine of '866 to communicates over the

computer network using TCP/IP.

46.   As to Claim 64: The system of '866 uses web-based interfaces (Page 2, Lines 10

to 11). It would thus be inherent that the machine of '866 to communicates over the

computer network using TCP/IP.

47.   As to Claim 72: The playing of a third game on a second gaming machine is a

duplication of structure as the first and second wagering games were addressed above

in the rejection of Claim 1 (MPEP 2144.04 (IV)(B). Duplication of Parts In re Harza, 274

F.2d 669, 124 USPQ 378 (CCPA 1960) (Claims at issue were directed to a water-tight

masonry structure wherein a water seal of flexible material fills the joints which form

between adjacent pours of concrete. The claimed water seal has a "web" which lies in

the joint, and a plurality of "ribs" projecting outwardly from each side of the web into one

of the adjacent concrete slabs. The prior art disclosed a flexible water stop for

preventing passage of water between masses of concrete in the shape of a plus sign

(+). Although the reference did not disclose a plurality of ribs, the court held that mere

duplication of parts has no patentable significance unless a new and unexpected result

is produced.).).

48.   As to Claim 73: The combination of '866, '378, '876, and '846 renders obvious

configuring the central server system to conduct the basic version responsive to the

game software being executed remotely at the central server system ('866 teaches the

game being executed remotely at the central server system, slot statistics game, 14:1-

15:23, this game without the enhanced content introduced by '876 as in the rejection of

Claim 1 is a basic game).

49.   As to Claim 74: The combination of '866, '378, '876, and '846 renders obvious

the configuring includes configuring the gaming machine or the computing device to

conduct the enhanced version responsive to the game software being executed locally

('378 outlines a player playing a basic game on his or her own machine and a

secondary game being played with a friend over the network with a secondary window

on the player's own machine, Fig. 4F, 16:55-17:10; '876 outlines enhanced content

being downloaded to the local machine downloads the upgraded audiovisual content

from the central server system to the gaming machine and stores the audiovisual

content locally on the computing device or gaming machine, Fig. 2, Para. 84, the local

gaming device is thus configured to execute the enhanced game locally, so the

enhanced audiovisual content can be applied to both the first and second wagering

games).

50.   As to Claim 75: The combination of '866, '378, '876, and '846 renders obvious

the player account database including a plurality of records having multiple fields of

information related to an identification of each player ('846, Para. 12).

51.   As to Claim 76: The combination of '866, '378, '876, and '846 renders obvious

the fields including at least one of a player's name, date of birth, social security number,

address, a telephone number, or credit card information ('846, Para. 12, name, among

other identifiers).

52.   As to Claim 77: The combination of '866, '378, '876, and '846 renders obvious

the fields further including at least one of player tracking information, player

preferences, or server preferences, the method further comprising configuring the

central server system to configure menus of the first wagering game based on the at

least one of the player tracking information, the player preferences, or the server

preferences ('846, Para. 13, player-preferred games; configured menus, Paras. 33-48

generally, esp. Paras. 33 & 34, Figs. 1A-B, interfaces described as "menus," Para. 37).

53.   As to Claim 78: The combination of '866, '378, '876, and '846 renders obvious

computing a bonus to be awarded to a player of the first wagering game or the second

wagering game based upon the player preferences associated with the player ('846,

preferred bonus games, Abst.).

54.   As to Claim 79: The combination of '866, '378, '876, and '846 renders obvious

includeing a basic version and an enhanced version having upgraded audiovisual

content relative to the basic version, the method further comprising configuring the

gaming machine, the computing device, or the central server system to conduct the

basic version or the enhanced version based on whether the game software is executed

locally at the gaming machine or at the computing device, or executed remotely at the

central server system, or executed locally and remotely ('378 outlines a player playing a

basic game on his or her own machine and a secondary game being played with a

friend over the network with a secondary window on the player's own machine, Fig. 4F,

16:55-17:10; '876 outlines enhanced content being downloaded to the local machine

downloads the upgraded audiovisual content from the central server system to the

gaming machine and stores the audiovisual content locally on the computing device or

gaming machine, Fig. 2, Para. 84, the local gaming device is thus configured to execute

the enhanced game locally, so the enhanced audiovisual content can be applied to both

the first and second wagering games).

55.   As to Claim 80: The combination of '866, '378, '876, and '846 renders obvious

receiving a wager from a player to play the first of the wagering games or the second of.

the wagering games;

deducting an amount corresponding to the wager from a monetary source based on the

financial account information associated with the player ('846, various wagering

denominations, Para. 41; game play and account tracked, Para. 53).

56.   As to Claim 81: The combination of '866, '378, '876, and '846 renders obvious

the controller being further programmed to retrieve financial account information stored

in a player account database that is remote from the gaming machine and from the

computing device, wherein the player account database is communicatively accessible

by the gaming machine and by the computing device ('846, 101 of Fig. 2, Paras. 33 &

39).

57.   As to Claim 82: The combination of '866, '378, '876, and '846 renders obvious at

least one of the wagering games including a basic version and an enhanced version

having upgraded audiovisual content relative to the basic version, the method further

comprising configuring the gaming machine, the computing device, or the central server

system to conduct the basic version or the enhanced version based on whether the

game software is executed locally at the gaming machine or at the computing device, or

executed remotely at the central server system, or executed locally and remotely.

Response to Arguments

58. Applicant's arguments filed 5-19-2008 have been fully considered but they are

not persuasive. Harkham in '866 integrates casino and non-casino gaming (Figs. 1 & 2,

Abst., 2:34-3:3, 3:21-30). The gaming machine is, for example, the casino-based slot

machine of '866 Pages 14 & 15. The computing device is, for example, the home video

game device of '866, 4:12-24. There is no non-obvious nexus or interaction between

the cited limitations. They are merely a set of limitations typically found in a networked

casino gaming system. There is for example, no interaction between the remote

financial server and the enhanced audiovisual content which is downloaded to the

computing device. '846 shows some suggestion for interplay as the remote preference

server of '846 keeps track of the player's account and customizes the gaming machine

according to the player's preferences, but no such interaction between these limitations

is found in the invention as claimed. The invention is obvious for at least this reason.

'866 and '378 are both highly analogous references. They both allow the player to log

in to play gaming machines remotely. '866 allows the player to log in to the server to

play the simulated slot game as outlined on Pages 14 and 15. Pages 8 to 10 of '866

have another game in which the player can log in to the casino server and play at a

table card game in which some of the players are actually at the card table and other

players are playing remotely in the same game; there can also be all of the players

remote with them represented by avatars in a virtual table card game. '378 analogously

allows players to play their own game on the local gaming device and either watch their

friends play games over the network or even play against them over the network. The

player's local machine is logged in to his or her friends' machines for this cooperative

game play. Both references analogously have chat features that allow the players to

interact during game play. Regarded '866 9:18 referred to by the examiner, the

sentence clearly mentions cards being dealt, which is a random event. The fact that the

sentence refers to sounds of the cards being dealt is irrelevant. Obviously, the card

game of '866 will have a random event of cards being dealt, and the slot games of '866

and '378 have random slot reel motions. '866 provides an award to the player for a

winning outcome of the random event for a first wagering game (Page 19, Lines 1 to

10). Harkham does in fact disclose first and second wagering games, namely the main

embodiments of slots and cards. The claim language does not state that they are

played one at a time, sequentially, or simultaneously by parallel displays on the gaming

device as in '378. The claims do not outline any kind of a transition from a first

wagering game to a second wagering game such as a bonus game in the event of a

bonus triggering event in a base game. The claim language does not distinguish above

'866 in this regard. The examiner respectfully disagrees with the applicant as to the

claims' condition for allowance.

Conclusion

59.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-

5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

60.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

61.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner	Supervisory Patent Examiner
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/M. D. H./
Examiner, Art Unit 3714